

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of _____, 2005:

Present

Vote

James S. Burgett, Chairman
Walter C. Zaremba, Vice Chairman
Sheila S. Noll
Kenneth L. Bowman
Thomas G. Shepperd, Jr.

On motion of _____, which carried ____, the following resolution was adopted:

A RESOLUTION TO APPROVE OF A SPECIAL USE PERMIT TO
AUTHORIZE THE CONSTRUCTION OF A TIMESHARE RESORT
ON APPROXIMATELY 64.48 ACRES OF LAND LOCATED ON THE
NORTH SIDE OF MERRIMAC TRAIL (ROUTE 143).

WHEREAS, Landmark Building and Development of North Carolina, LLC, has submitted and Williamsburg Country Club and Revocor Corporation, N.V. will execute Application No. UP-660-05 requesting a Special Use Permit, pursuant to Section 24.1-306 (Category 11, Number 11) of the York County Zoning Ordinance, to authorize a Special Use Permit for the construction of a timeshare resort on approximately 64.48 acres of land located on the north side of Merrimac Trail (Route 143) approximately 1,250 feet south of the intersection with Tam-O-Shanter Boulevard (Route 1123) and further identified as Assessor's Parcel Nos. 15-2-D (GPIN I12C-0023-1654), 15-6-A (GPIN I12C-0536-0860), 15-7 (GPIN I12C-0061-1057), 15-2-C (GPIN H12D-3733-1074), 15-4B (GPIN H12D-2515-1568), and portions of Assessor's Parcel Nos. 15-2-B (GPIN H12D-3064-1241) and 15-4A (GPIN H12B-3671-2710); and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has carefully considered the public comments and Planning Commission recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the ____ day of ____, 2005, that Application No. UP-660-05 be, and it hereby is, approved to authorize a Special Use Permit for the construction of a timeshare resort on approximately 64.48 acres of land located on the north side of Merrimac Trail (Route 143) approximately 1,250 feet south of the intersection with Tam-O-Shanter Boulevard (Route 1123) and further identified as Assessor's Parcel Nos. 15-2-D (GPIN I12C-0023-1654), 15-6-A (GPIN I12C-0536-0860), 15-7 (GPIN I12C-0061-1057), 15-2-C (GPIN H12D-3733-1074), 15-4B (GPIN H12D-2515-1568), and portions of Assessor's Parcel Nos. 15-2-B (GPIN H12D-3064-1241) and 15-4A (GPIN H12B-3671-2710):

1. This use permit shall authorize the establishment of a timeshare resort with a maximum of 824 timeshare units on property located on the north side of Merrimac Trail (Route 143) approximately 1,250 feet south of the intersection with Tam-O-Shanter Boulevard (Route 1123) and further identified as Assessor's Parcel Nos. 15-2-D, 15-6-A, 15-7, 15-2-C, 15-4B, and portions of Assessor's Parcel Nos. 15-2-B and 15-4A. A timeshare unit shall be defined as a single unit of one or more rooms that may be separated from other units by a locked door, providing complete, independent transient living facilities for one family, including permanent provisions for living, sleeping, cooking, and sanitation.
2. A site plan prepared in accordance with the provisions of Article V of the York County Zoning Ordinance shall be submitted to and approved by the County prior to the commencement of any development or land clearing activities on the site. Such site plan shall be in general conformance with the conceptual plan titled "Master Plan – Parkview and Illustrative Plan - Parkview" prepared by AES Consulting Engineers, dated March, 2005, a copy of which shall remain on file in the Planning Division.
3. The exterior siding, roofing, and brick shall generally conform with the architectural renderings titled "Front Elevation View" and "Rear Elevation View" dated 12/04, a copy of which will remain with the application file.
4. Transitional buffers in accordance with Section 24.1-243 of the York County Zoning Ordinance shall be provided along all property lines.
5. The developer shall be responsible for installing left turn lanes from eastbound Route 143 into the Property at the eastern most and western most entrances with 200 feet of storage and 200 foot tapers for each turn lane. A 150 foot right turn

lane from west bound Route 143 at the western most entrance into the Property and a continuous right turn lane from the I-64 off ramp onto Route 143 to the eastern most entrance shall be constructed. All public roadway improvements shall be approved by VDOT prior to construction. In addition, all streets, drives, and parking areas in the development shall be constructed to VDOT cross-sectional street standards.

6. The resort shall be served by sanitary sewer and public water.
7. Permanent year-round occupancy of any units by any individual or family other than that of a resident manager or caretaker and his or her family shall not be permitted.
8. The timeshare resort shall consist only of residential units for which the exclusive right of use, possession, or occupancy circulates among various owners or lessees thereof in accordance with a fixed time schedule, which may vary within certain specified time periods, on a periodically recurring basis.
9. Proposed procedures and regulations for maintenance and upkeep of the facility shall be submitted to the Zoning Administrator for review and approval at the time of the initial site plan submission for the project.
10. On-site parking to serve the development shall be provided in accordance with all applicable requirements set forth in Article VI of the Zoning Ordinance.
11. All agreements and restrictions pertaining to ownership and maintenance of common areas on the site shall comply fully with Section 55-360 et seq., Code of Virginia, the Virginia Real Estate Time-Share Act. Certification by the developer's legal counsel that the referenced standards have been met shall be submitted with development plans.
12. The applicant shall be responsible for compliance with the regulations in Section 24.1-115(b)(6) of the Zoning Ordinance that pertain to the recordation of this resolution in the office of the Clerk of the Circuit Court.